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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

von BORSTEL et al

Atty. Ref.: LCM-1331-352

Serial No. 09/930,494

Allowed: May 20, 2010

Filed: August 16, 2001

Confirmation No.: 1560

For: COMPOSITIONS AND METHODS FOR TREATMENT OF
MITOCHONDRIAL DISEASES

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September 1, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SMALL ENTITY ASSERTION

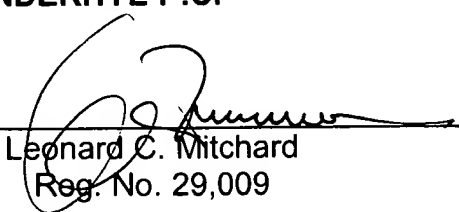
Each owner and/or licensee of the invention claimed in Application Serial No. 09/930,494, qualifies as a small entity as defined in 37 CFR §1.27(a). Accordingly, the application is entitled to small entity status and small entity status is hereby claimed.

Also, please immediately update the patent application record to reflect small entity status for this case and accept maintenance fee payments at the small entity fee.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____


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